

**A RESOLUTION  
BY PUBLIC SAFETY AND LEGAL  
ADMINISTRATION COMMITTEE**

**01- R-0005**

**A RESOLUTION AUTHORIZING THE CITY ATTORNEY TO UNDERTAKE SETTLEMENT OF ALL CLAIMS ARISING FROM THE CASE OF KENNETH HANCOCK V. DEWAYNE MARTIN AND THE CITY OF ATLANTA PENDING IN THE MAGISTRATE COURT OF FULTON COUNTY, CIVIL ACTION FILE NO. 00MS0-03643 FOR THE AMOUNT OF \$3,000.00; AUTHORIZING THE CHIEF FINANCIAL OFFICER TO DISBURSE THE SETTLEMENT AMOUNT; AND FOR OTHER PURPOSES.**

**WHEREAS**, Kenneth Hancock suffered personal injury, pain and suffering, damage to his automobile and other expenses as a result of a rear end collision with an automobile driven by Dewayne Martin, a City employee, and

**WHEREAS**, Mr. Hancock filed suit in the Magistrate Court of Fulton County against the City of Atlanta and Mr. Martin in Civil Action File No. 00MS0-03643, seeking over \$7,500.00 in damages arising from the May 27, 2000 collision; and

**WHEREAS**, during the course of litigation, the Judge commended this case to mediation at the Justice Center; and

**WHEREAS**, mediation did not change the amount of Plaintiff's demand for damages; and

**WHEREAS**, Mr. Hancock has offered to settle his claims against the City of Atlanta and Mr. Martin for the sum of \$3,000.00, including attorneys fees; and

**WHEREAS**, the City Attorney has undertaken an extensive review of the law and facts applicable to this case and has determined that the City's cost associated with litigation exceeds the proposed settlement amount; and

**WHEREAS**, based on the foregoing, the City Attorney recommends that the settlement offer of \$3,000.00 be accepted.

**NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA** as follows:

**SECTION 1:** The City Attorney is hereby authorized to settle all claims arising from the case of Kenneth Hancock v. Dewayne Martin and the City of Atlanta, now pending in Magistrate Court of Fulton County, Civil Action File No. 00MS0-03643, for the sum of Three Thousand Dollars (\$3,000.00).

**SECTION 2:** The Chief Financial Officer is authorized to pay a total sum of \$3,000.00 to Kenneth Hancock and his attorney Chris Rampley from Account No. 1A101-529017-T31001.